

III. REMARKS

Claims 1-20 are pending in this application. By this amendment, claims 1, 2, 6, 12 and 17 have been amended. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claim 1 is objected to for alleged informalities. Applicant has amended the limitation complained of by the Office to make it a wherein clause and thus further clarify it for the Office. Claim 1 is rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. Applicant has amended claim 1 to clarify that the location of a window in which to display the login request occurs automatically in response to a request for information and not to a request for the login window, itself. Applicant has also amended claim 1 to indicate that the display enables the entirety of the login page to be simultaneously visible. Claims 1-20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tock (U.S. Patent No. 7,146,403 B2), hereafter “Tock,” in view of Gelsinger *et al.* (U.S. Patent No. 5,892,511), hereafter “Gelsinger,” and further in view of Southgate (U.S. Patent No. 5,561,757), hereafter “Southgate.” Applicant asserts that the Tock, Gelsinger and Southgate references do not teach or suggest each and every feature of the claimed invention and that there is no motivation or suggestion for combining the references.

For example, with respect to independent claims 1, 6, 12 and 17, Applicant submits that the cited references fail to teach or suggest automatically locating an ancestor window for an

active window of the web application that is at least one of a sufficient size or adaptable to become of the sufficient size to display an entirety of a login page to be simultaneously visible. The Office admits neither Tock nor Gelsinger teaches this feature of the claimed invention, but instead relies on a passage of Southgate that defines the terms minimum, maximum and natural size with respect to development of a web site. Col. 7, line 51 through col. 8, line 5. For example, the passage of Southgate cited by the Office defines minimum size as being able to be chosen according to the smallest size that permits the window to accommodate the minimum number of control buttons and still remain functional. To this extent, the minimum size of Southgate is taught as being the minimum size required for functionality and not as a size required for displaying an entirety of a page such that all the information is visible. Furthermore, the context of the Southgate reference is that of initial development of a web page and not in displaying information in an already created web page. As such, to whatever extent Southgate chooses a size of a web page, that choice is made during development. Southgate gives no heed to whether a web page is of a particular size during the execution of an application.

In contrast, the claimed invention includes "...locating, based on the request, an ancestor window for an active window of the web application, the ancestor window being at least one of a sufficient size or adaptable to become the sufficient size to display an entirety of a login page to be simultaneously visible." Claim 1. As such, in contrast to the simple definition of Southgate, the locating of the claimed invention locates an ancestor window for an active window of the web application that is or can be made to be a sufficient size to display an entirety of a login page to be simultaneously visible. Furthermore, this locating occurs not during development of a web page, but as the application is running. Thus, the definition of Southgate does not teach or

suggest the locating of the claimed invention. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With further respect to independent claims 1, 6, 12 and 17, Applicant respectfully submits that the cited references also fail to teach or suggest displaying the login page in the ancestor window that is not currently displaying a login page. The Office admits that Tock does not teach this feature, but rather cites a passage of Gelsinger that states that when a window that is to be the new active window is identified the active window is switched to the identified window. However, Gelsinger does not indicate that there is any change in the information on the activated window, merely that it becomes the new active window as is. Furthermore, Gelsinger does not reference login or authentication activities at all. To this extent, there is no teaching or suggestion in Gelsinger for displaying a login page in an activated window that does not currently contain such information.

The claimed invention, in contrast, includes "...displaying the login page in the ancestor window," and "...the ancestor window not currently displaying the login page." Claim 1. To this extent, the displaying of the claimed invention does not merely switch the active window to a previously identified window as does Gelsinger, but instead displays a login page in the ancestor window that does not currently display such information. Thus, the switching of Gelsinger does not teach or suggest the displaying of the claimed invention. Accordingly, Applicant respectfully requests withdrawal of the Offices rejection.

With still further respect to independent claims 1 and 17, Applicant respectfully submits that the cited references also fail to teach or suggest locating, based on the request, an ancestor window for an active window of the web application by traversing a hierarchy from the active

window to the ancestor window. In contrast, the passages of Gelsinger cited by the Office teaches locating all top level windows first and then determining whether a window is associated with a top level window by performing a comparison. The set of windows of Gelsinger does not teach that all windows in its web application are arranged in a tree-type hierarchical structure. To this extent, Gelsinger does not teach traversing a hierarchy from child to ancestor, much less in a tree-type environment, but rather, performing a comparison. Furthermore, Gelsinger teaches starting from the top level window and not performing a bottom up traversal. Accordingly , Applicants respectfully request withdrawal of the rejection.

With yet still further respect to independent claim 1, Applicant respectfully submits that the cited references also fail to teach or suggest that the locating is performed based on a request for information from an active window in the web application that requires authentication for retrieval of the information. Rather, the authentication of Tock is not in response to a request for information that requires a login for retrieval of the information, but instead, is only a request for login. Furthermore, Gelsinger does not teach or suggest that its identification is performed in response to a request that requires authentication. Conversely, as stated above, Gelsinger does not teach logins or user authentication at all. For the above reasons, the authentication of Tock and the identification step of Gelsinger do not teach or suggest the location of the claimed invention. Accordingly, Applicant requests that the rejection be withdrawn.

With respect to claim 2, Applicant continues to respectfully submit that the cited references also fail to teach or suggest that every window in the web application includes a parent attribute that is used for the traversing of the hierarchy, the parent attribute indicating whether the window has a parent, and, if so, identifying the parent window. As stated elsewhere herein, the

passages in Gelsinger cited by the Office teach comparison and not traversal of a hierarchy from child to parent. Furthermore, Gelsinger, as well as the other references, is silent with regard to the presence of a parent attribute in each window in the web application. The Office does not dispute this, but instead states that “operating systems such as Windows support both parent and child windows, inherent that there must be a means to link parent and child windows.” Office Action, page 16. Initially, even assuming, *arguendo*, that an operating system can link parent and child windows, it does not necessarily follow that this link is accomplished using a parent link within the child node, as in the claimed invention. Furthermore, none of the references teaches or suggests using such a link to traverse a tree of web pages to find a web page that meets certain size requirements, as included in the claimed invention. Accordingly, Applicant respectfully submits that the rejection be withdrawn.

With respect to dependent claim 4, Applicant respectfully continues to object to the Office’s logic in applying its rejection. Specifically, the Office states that the phrase “...the requestor is forced to login,” (Col. 8, line 50 through col. 51, line 3) of Tock teaches an active window that is modal because “one of the ways to force the user is making the window “modal.” Office Action, page 5. Initially, Applicant respectfully submits that the window that is modal in the claimed invention is the active window, and not the login window as in the passage of Tock. Furthermore, even assuming, *arguendo*, that the Office is correct in the use of modal windows to force users to login, there are many other methods to force users to login, and, as such, the use of a modal windows is not necessitated or suggested by this statement, as modal windows may not be advisable for login purposes in some instances. To this extent, Applicant respectfully asserts that the Office’s factual assertion constitutes Official Notice that is not properly based upon

common knowledge based on its context within the claimed invention. Accordingly, Applicant respectfully requests that the Office support the finding with references that show these features or withdraw the rejection.

With further regard to the 35 U.S.C. §103(a) rejection over Tock, Gelsinger and Southgate, Applicant respectfully submits that there is no motivation within the references themselves or elsewhere in the art for modifying the references. Rather, the Office appears to have taken three disparate references that perform different tasks and attempted to pick and choose elements from each one without forging any relationship between the three. Specifically, the passages of Tock cited by the Office refer to making a determination as to whether a request is a login request without specifying whether specific window manipulation is performed to do so. However, neither Gelsinger nor Southgate has any mention of user authentication. Furthermore, Southgate operates in a development environment, whereas neither Tock nor Gelsinger do. Conversely, the passages of Gelsinger cited by the Office deal with manipulation of windows without any mention of user authentication or website development. To this extent, it is apparent that the Office has used hindsight to connect these references. The Supreme Court has ruled that "A patent composed of several elements is not proved obvious merely by demonstrating that each element was, independently, known in the prior art." *KSR v. Teleflex*, 550 U. S. ____ (2007). Thus, Applicant respectfully submits that the Office has failed to prove a *prima facie* case of obviousness. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

With respect to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from

which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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